

BOARD OF GOVERNORS MEETING

LOS ANGELES

DECEMBER 8, 2001

The Board of Governors of the State Bar of California convened in the Board Room of the State Bar Offices at 1149, South Hill Street, Los Angeles, California, at 9:00 a.m., Saturday, December 8, 2001, Karen S. Nobumoto presiding.

The following members of the Board of Governors were present: Matthew E. Cavanaugh, Judith M. Copeland, Janet M. Green, James E. Herman, Robert K. Persons, Ann Miller Ravel, Russell Roeca, Joseph T. Rouzan, Jr., Windie O. Scott, James C. Sherwood, John G. Snetsinger, John K. Van de Kamp, Maria D. Villa, Marie Weiner, Scott Wylie and Nancy J. Hoffmeier-Zamora.

The following members of the staff were present: Starr Babcock, Francis Bassios, Jerome Braun, Larry Doyle, Scott Drexel, Robert A. Hawley, Judy Johnson, Dean Kinley, Nancy McCarthy, Marie M. Moffat, Mike Nisperos and Mary Viviano.

Also present: Stephen Marsh, Chair, Executive Committee, Conference of Delegates, and Laura Goldin, current member and immediate past Chair, Executive Committee, Conference of Delegates.

10 Upon motion made, seconded and adopted, it was

RESOLVED that the minutes of the meeting of the Board of Governors held on October 20-21, 2001, in Santa Barbara, hereby are approved as amended.

Mr. Rouzan abstained from voting on the above matter.

The roll-call vote was taken and upon motion made, seconded and unanimously adopted it was

RESOLVED that the roll-call vote will be substituted for the vote unless otherwise noted.

30 All members present and recorded on the roll-call slip voted yes on the above matter. The President reported on the following:

1. The President stated that the appointment of chairs to the restructured board committees would be considered during the later discussion of the Strategic Plan; the appointment of members to these committees will be made via fax poll later in the month.
2. She announced that she had appointed the following members to the Conference of Delegates Task Force, which she herself will chair:

Ronald E. Albers	Former Board Member and Vice-President
Starr Babcock	Special Assistant to the Executive Director
Judy Johnson	Executive Director
Stephen Marsh	Chair, Conference of Delegates Executive Committee
Marie Moffat	General Counsel
Robert K. Persons	Board Member
Matthew St. George	Former Chair, Conference of Delegates Executive Committee
Diane Wasznicky	Former Chair, Conference of Delegates Executive Committee and currently an ex officio member
Scott Wylie	Board Member and Vice-President

3. She introduced Joseph T. Rouzan, Jr., who was recently appointed to the Board by the Governor Gray Davis.
4. She hoped everyone had an enjoyable Thanksgiving and wished all present at the meeting a happy festive season.

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The Executive Director reported on the following:

1. She had attended district outreach meetings in San Diego, San Francisco and Orange Counties with the President and the Board member from the relevant district.
2. She announced that Janis Thibault, who has vast experience in the area of substance abuse, has accepted the position of Director of the Attorney Diversion and Assistance Program and will assume said position on February 2, 2002. She added that Ms. Thibault will be a great addition to the Bar.
3. She announced that the newly selected State Bar Court judges in Los Angeles had been sworn in and that the San Francisco judges would be sworn in early next week. The judges will commence their training process next week after which they will assume their responsibilities. She commended Scott Drexel, Administrative Officer for State Bar Court/Chief Court Counsel, and his staff for their work on the appointment process and the orientation and training of the new judges.
4. The Board of Governors Special Election in District 3 is on the website. The schedule for the 2002 Annual Board of Governors Election will be announced at the January 26, 2002, meeting of the Board, and she mentioned that dates are now fixed under the new election rules.

- 42 Part 1 The following is the report of emergency action taken by the Board on November 15, 2001, via conference call, re the Schedule for the Board of Governors Special Election in District 3:

Upon motion made, seconded and adopted, it was

RESOLVED that the Board hereby authorizes the Secretary, pursuant to Article IIA, Section 4, Rules and Regulations of the State Bar of California, at her discretion, to set the schedule for the District 3, 2001 Special Election of the Board of Governors of the State Bar of California, in the form attached to these minutes and made a part hereof; and it is

FURTHER RESOLVED that the Secretary shall follow the procedures prescribed in article II of said rules and regulations as nearly as may be and insofar as practicable.

All members who participated in the conference call meeting voted yes on the above matter.

Mr. Dixon entered the meeting at 9:15 a.m. and was added to the roll-call slip.

- 51 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby receives the financial statements for the quarter ended September 30, 2001, as certified by the Director of the Office of Finance and on file in the San Francisco office of the State Bar.

All members present and recorded on the roll-call slip voted yes on the above matter.

- 52 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Finance, that the Board hereby receives the investment report for the quarter ended September 30, 2001, as certified by the Director of the Office of Finance and on file in the San Francisco office of the State Bar.

All members present and recorded on the roll-call slip voted yes on the above matter.

- 53 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Finance, that the Board hereby receives the Client Security Fund report for the quarter ended September 30, 2001, as certified by the Director of the Office of Finance and on file in the San Francisco office of the State Bar.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-111 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon expiration of the public comment period with no comments received, and upon the recommendation of the Board Committee on Administration and Finance, that the Board hereby amends Article I, section 7.1 [re fee scaling] of the *Rules and Regulations of the State Bar of California*, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-113 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby amends the *Rules and Regulations Pertaining to the Employment of Confidential Employees*, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-131 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Member Relations and Communications, that the Board hereby amends the following charge of the Standing Committee on the Delivery of Legal Services:

. . .

§2. Committee on Delivery of Legal Services

The Committee on Delivery of Legal Services is composed of twenty (20) persons appointed by the Board of Governors. The committee's area of concern is the delivery of legal services to poor and middle-income individuals in California. The charge of the committee is as follows:

- a. Identify, develop and support improvements in the delivery of legal services to poor and middle-income individuals.
- b. Serve as a resource to the Board of Governors in legal services issues of importance to the State Bar.
- c. Develop and disseminate educational materials to improve the delivery of legal services to poor and middle-income individuals.
- d. Develop liaison relationships with other State Bar entities concerning legal services issues of importance to the State Bar.
- e. Analyze, report to the Board of Governors, and comment where requested by the Board of Governors or the Executive Director, on proposed court rules or legislation directly relating to or impacting the delivery of legal services to poor and middle-income individuals in California.

(Source: Board of Governors' Resolutions, December 1999 and December 8, 2001)

All members present and recorded on the roll-call slip voted yes on the above matter.

54-132 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Member Relations and Communications that the Board of Governors hereby changes the committee oversight of the State Bar Business Office Package Program from the Board's Standing Committee on Group Insurance Programs to the Board's Standing Committee on Professional Liability Insurance.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-133 This item regarding State Bar Member Long Term Care Insurance Program was withdrawn; the matter will be presented to the Board at a future meeting.

54-134 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Member Relations and Communications, that the Board hereby amends the Business Law Section Bylaws as follows:

Section 4.1 Members

The Executive Committee shall consist of 15 members appointed by the Board of Governors, except that the Executive Committee shall consist of ~~16~~ additional members in any year in which a member is appointed to serve a fourth-year term as Chair, ~~provided that during the 1992-1993 and 1993-1994 State Bar years, the Executive Committee may consist of 17 members, except that the Executive Committee shall consist of one additional members if in either such State Bar year a Vice-Chair or Chair, or in any year in which a member is appointed to serve a fourth~~ fifth-year term as Chair.

Section 4.4 Meetings and Action Without a Meeting

Meetings of the Executive Committee may be called by the Chairperson or by a majority of the members of the Executive Committee. Written notice of such meetings shall be mailed to members of the Executive Committee at least five days prior to such meeting or shall be given by telephone or telegraph at least two days prior to such meeting. At meetings of the Executive Committee, the majority of its members shall constitute a quorum for the transaction of any business of the Committee.

The Executive Committee may act without a meeting by a poll of its members. In such event, no less than ~~eight~~ a majority of the members must agree on any action taken. A poll of the members of the Executive Committee may be

conducted by the Chairperson by telephone, telegraph, ~~or mail~~, mail, facsimile or electronic transmission (including e-mail).

Notwithstanding the provision of the section, amendments of these bylaws shall be governed solely by the provision of Article VII.

All members present and recorded on the roll-call slip voted yes on the above matter.

- 54-153 The following is the report of emergency action taken on behalf of the Board by the Board Legal Committee between meetings on November 13, 2001.

Upon motion made, seconded and adopted, it was

RESOLVED, that the Board Legal Committee, pursuant to its authority delegated to it to act on behalf of the Board of Governors between regular Board meetings in litigation matters, grants the Business Law Section's request that the State Bar file an amicus curiae letter urging the Supreme Court to grant review in *Viner v Sweet* (California Supreme Court No. S101964, Court of Appeal, Second Appellate District No. B139149, Los Angeles Superior Court No. BC 192006) and it is

FURTHER RESOLVED that this letter be drafted and filed by the Office of General Counsel and state that the State Bar is not taking a position on the merits of this case nor in favor of either party; and it is

FURTHER RESOLVED that this action be reported to the Board of Governors at its next regularly scheduled meeting.

- 112 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby creates the Center for Access and Fairness; and it is

FURTHER RESOLVED that the Board hereby adopts the revised 2002 budget for the Elimination of Bias Fund, as presented this day before the Board.

All members present and recorded on the roll-call slip voted yes on the above matter.

Mr. Dixon, Chair, Board Committee on Regulation and Discipline, gave a status report on the work of the committee.

- 121 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby approves the adjustment of fees charged for educational standards services, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

122 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby amends Rules IV and VI, *Rules Regulating Admission to Practice Law in California*, re final application filing deadlines and qualification to take the Attorneys' Examination, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

123 This item concerning proposed statutory changes and request to include in the State Bar's 2002 legislative program re foreign educated bar applicants was withdrawn from the Board's agenda, and also from the agenda of the Board Committee on Regulation and Discipline.

124 Mr. Dixon, Chair, Board Committee on Regulation and Discipline (CORD), reported that following the presentation by the Committee on Professional Responsibility and Conduct (COPRAC) to CORD, this item regarding proposed amendment following public comment period to rule 3-600: Organization as Client, Rules of Professional Conduct of the State Bar of California, was withdrawn from this meeting's agenda, but will be presented to the Board at a future meeting.

141 Mr. Herman reported on the strategic planning process, noting that the Draft Interim Strategic Plan has been sent to all members of the Board and key stakeholders for public comment, which must be submitted by December 31, 2001. These comments, along with the Draft Interim Strategic Plan, will be considered by the Board at its January 2002 meeting.

152 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Legal Committee, that the Board hereby declines to participate as amicus curiae in *Cargill, et al. v. Metropolitan Water District*, 92 Cal. App. 4th 1112.

All members present and recorded on the roll-call slip voted yes on the above matter.

161 Mr. Doyle, Chief Legislative Counsel, gave a status report on pending legislation.

162 There were no immediate items presented to the Board for consideration.

163 Mr. Cavanaugh raised objections as to whether two resolutions included in this item, Resolution 03-03-01 [Medi-Cal: Increased Needs Allowance for Long Term Care Recipients] and Resolution 05-11-01 [Insurance: Increase Minimum Limits of Liability for Automobile Policies], were within the purview of the Conference of Delegates and thus appropriate candidates for inclusion in the Conference of Delegates 2002 Legislative Program. At the request of President Nobumoto, the challenged resolutions were severed from the remainder of the resolutions included in the item, to be voted upon separately.

Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Legislative and Court Relations, that the Board hereby takes the following actions concerning the proposed 2002 Legislative Program of the Executive Committee of the Conference of Delegates, having first removed the challenged Conference of Delegates resolutions, numbers 03-03-01[Medi-Cal: Increased Needs Allowance for Long Term Care Recipients] from Category I, and 05-11-01 [Insurance: Increase Minimum Limits of Liability for Automobile Policies] from Category II; these two Conference resolutions to be considered separately by the Board later in the meeting as 163A and 163B respectively:

1. Removes the following Category I Conference resolutions from the proposed Legislative Program of the Executive Committee, Conference of Delegates and places the same on the 2002 Legislative Program of the Board of Governors:

02-05-01 Small Claims: Service Outside the State of California
Amends Code of Civil Procedure section 116.340 to allow service of a claim in a small claims court upon an out-of-state business entity that does not maintain a designated service agent within the state.

02-14-01 Motions to Change Venue: Appellate Review
Amends Code of Civil Procedure section 400 to allow a ruling on a motion for change of venue to be reviewed on appeal from the final judgment provided that the aggrieved party has previously filed a timely but unsuccessful mandate petition.

10-05-01 Attorney Work Product: Extension to Out-of-State Attorneys
Amends Code of Civil Procedure section 2018 to provide that the term "attorney" includes persons authorized, or reasonably believed by the client to be authorized, to practice law in any state or nation.

2. Removes the following Category II Conference resolutions from the proposed Legislative Program of the Executive Committee, Conference of Delegates and places the same on the 2002 Legislative Program of the Board of Governors:

01-01-01 Notice and Hearing Before Penalty For Failure To Comply With Local Rules Imposed
Amends Code of Civil Procedure section 575.2 to require notice and an opportunity to be heard for those facing penalties for failure to comply with local rules.

- 02-01-01 Service of Papers: Transmission via Facsimile or E-mail to Agent
Amends Code of Civil Procedure section 1017 to remove transmission by telegraph and allow transmission by facsimile or e-mail to agent for all papers requiring service.
- 02-15-01 Certification of Interlocutory Appeal of Order Not Otherwise Appealable
Amends Code of Civil Procedure section 904.1 to provide that a trial judge may certify an order involving a controlling question of law for an interlocutory appeal and that the appellate court may permit such interlocutory appeal in its discretion.
3. Approves for inclusion in the 2002 Legislative Program of the Executive Committee, Conference of Delegates, the following Category I resolutions, subject to any existing holds:
- 02-04-01 Civil Procedure: Motion to Quash Service
Amends Code of Civil Procedure section 418.10 to allow a party to object while moving to quash service without having the objections constitute a general appearance.
- 03-04-01 Death Certificate - Expedited Issuance in Mass Disaster Cases
Adds Government Code section 27491.15 to authorize the issuance within 14 days of a death certificate for the victim of a mass disaster.
- 03-05-01 Guardianships: Periodic Investigations and Assessment of Investigation Costs.
Amends Probate Code section 1513.1 and adds Probate Code section 1513.2 to require a periodic review of guardianships of minor children.
- 06-01-01 Vehicle Code: Repeal Of Unconstitutional Statute
Deletes Vehicle Code section 17158 which limits the ability of the owner of a car from recovering against a permissive driver.
- 09-05-01 Unlawful Detainer Actions: Demurrer on Shortened Notice
Amends section 1167.4 of the Code of Civil Procedure to require demurrers in unlawful detainer actions to be heard not less than three days and not more than seven days after the demurrer is filed.
- 10-03-01 Deposition Services: Limitation on Costs
Amends Code of Civil Procedure section 2025 to limit charges for deposition services to a sums not exceeding those charged to any other party.

- 10-12-01 Judicial Review of Administrative Proceedings: Remove Limitation on Attorney Fees
Amends Government Code section 800 to remove all limits on the amount of attorneys' fees that may be awarded to an appellant who shows that the action of the administrative agency decision below was arbitrary or capricious.
- 10-15-01 Sanctions: Repeal of "Safe Harbor" Provisions of Code of Civil Procedure Section 128.7
Amends Code of Civil Procedure section 128.7 to reduce to 10 days the thirty-day period for withdrawal or correction of a challenged pleading or other similar paper without penalty.
4. Approves for inclusion in the 2002 Legislative Program of the Executive Committee, Conference of Delegates, retaining the following Category II resolutions, subject to any existing holds:
- 02-03-01 Trial: Service Requirements for Court-Ordered Notice
Adds Code of Civil Procedure section 594.1 to require parties to serve notice of trial within certain times and provides sanctions for the failure to do so.
- 03-02-01 Trusts: Appointment of Private Fiduciary
Amends Probate Code section 15408 to grant the court authority to appoint a private fiduciary in place of a named corporate fiduciary if the corporate fiduciary refuses to act.
- 03-06-01 Trust Litigation: Request for Special Notice
Amends Probate Code section 17204 to allow interested persons to request special notice when a trust matter is before the court.
- 03-17-01 Wills: Express Disinheritance
Amends Probate Code section 6400 to permit a testator to bar a particular heir or class of heirs from inheriting any property passing by intestacy.
- 05-13-01 Discovery: Uninsured and Underinsured Motorist Arbitration
Amends Insurance Code section 11580.2 by allowing discovery only after the matter is submitted to arbitration.
- 06-03-01 Traffic Violations: Inability to Pay Fines
Amends Vehicle Code section 42003 to make it easier for the court to reduce the fines or to allow for community service in lieu thereof for those who do not have the ability to pay the fines.

- 06-06-01 Criminal Law: Certificate of Rehabilitation for Pardons
Applicable to Misdemeanors
Amends Penal Code section 4852.01 to allow persons convicted of misdemeanors to obtain certificates of rehabilitation.

- 06-10-01 Wrongful Conviction: Indemnification
Amends Penal Code section 4901 to lengthen the limitations period for the filing of claims for indemnification for factually innocent persons.

- 06-12-01 Rehabilitation as Purpose for Imprisonment
Amends Penal Code section 1170 to add rehabilitation to the statement of reasons for imprisonment.

- 10-02-01 Discovery: Time for Completion
Amends Code of Civil Procedure section 2024(d) to clarify deadlines relating to expert discovery.

- 10-04-01 Discovery: Exchanges of Expert Trial Witness Information
Amends Code of Civil Procedure section 2034 to increase the time to demand an exchange of expert witness information to 90 days before trial and increase the time to make the exchange to 70 days before trial.

- 10-07-01 Discovery: Cap on Cost to Non-subpoenaing Party of Non-party Production of Documents
Amends Code of Civil Procedure section 2020 to limit the amount a deposition officer can charge a non-subpoenaing party for copying documents.

- 10-11-01 Judicial Review of Administrative Proceedings: Increase Limitation on Attorney Fees
Amends Government Code section 800 to raise the cap on the amount of attorneys' fees that may be awarded to an appellant who shows the administrative agency decision was arbitrary or capricious.

- 10-14-01 Motions for Sanctions: Implementation of Code of Civil Procedure section 128.6
Amends Code of Civil Procedure section 128.6 to restore the court's authority to sanction bad-faith litigation tactics without complying with the "safe harbor" provisions of section 128.7 in limited civil cases.

5. Refers the following Category II Conference resolutions to the Board Committee on Regulation and Discipline, or its successor committee(s), for advice:

- 07-01-01 Immunity of Law Association for Publishing Member Lists

Amends Civil Code section 43.95 to exempt a law association from liability for publishing a list of members.

07-02-01 Attorney Discipline: Deferred Entry of Judgment in Drug Possession Cases

Amends Business and Professions Code section 6101 to exclude pleas made as part of the deferred entry of judgment provisions from being considered a conviction for purposes of attorney discipline.

All members present and recorded on the roll-call slip voted yes on the above matter.

163A Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Legislative and Court Relations, that the Board hereby approves for inclusion in the 2002 Legislative Program of the Executive Committee of the Conference of Delegates, Category I, the following resolution, subject to any existing holds:

03-03-01 Medi-Cal: Increased Needs Allowance for Long Term Care Recipients

Amends Welfare & Institutions Code section 15005.12 to increase the personal and incidental needs allowance from \$35.00 to \$60.00 per month.

Voting yes: Ms. Copeland, Ms. Green, Mr. Herman, Mr. Persons, Ms. Ravel, Mr. Roeca, Ms. Scott, Mr. Sherwood, Mr. Snetsinger, Mr. Van de Kamp, Ms. Villa, Ms. Weiner, Mr. Wylie and Ms. Zamora

Voting no: Mr. Cavanaugh and Mr. Dixon

Abstaining: Mr. Rouzan

163B Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Legislative and Court Relations, that the Board hereby approves for inclusion in the 2002 Legislative Program of the Executive Committee of the Conference of Delegates, Category II, the following resolution, subject to any existing holds:

05-11-01 Insurance: Increase Minimum Limits of Liability for Automobile Policies

Amends Vehicle Code section 16056 by increasing the minimum limits of liability for automobile policies.

Voting yes: Ms. Copeland, Mr. Herman, Mr. Persons, Ms. Ravel, Mr. Roeca, Ms. Scott, Mr. Snetsinger, Mr. Van de Kamp, Ms. Villa, Ms. Weiner, Mr. Wylie and Ms. Zamora

Voting no: Mr. Cavanaugh, Mr. Dixon and Mr. Sherwood

Abstaining: Ms. Green and Mr. Rouzan

170 Mr. Wylie, Chair, Board Committee on Appointments, gave a status report on the work of the committee and the recruitment process.

141 Mr. Herman, Chair, Board Committee on Planning, gave a status report on the work of the committee and future strategic planning for the Board, including the restructuring of the board committee; the latter to be addressed more fully later in the meeting under agenda item **DECEMBER 701**.

The Board went into closed session at 10:15 a.m., and those other persons present in the meeting, except the Executive Director and members of the Senior Executive Team, left the meeting.

The Board resumed open session at 10:30 a.m.

The appointments were considered in confidential session and the action of the Board is reported below.

6011 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon the recommendation of the Board Committee on Appointments, that the Board hereby appoints the following persons to the State Bar Fee Arbitration Department, each to serve for a term of two years commencing December 10, 2001, or until further order of the Board, whichever occurs earlier:

Name	County	Lawyer	Non-Lawyer
Becker, Jody	Marin		X
Burton, Mark	San Francisco	X	
Coupe, James	Los Angeles	X	
DeAmicis, Clement	San Francisco		X
Everakes, Howard Ventura		X	
Fitzpatrick, John	Contra Costa	X	
Flattery, Thomas	Los Angeles	X	
Hepler, Laurie	San Francisco	X	
Lowe, Jeffrey	Los Angeles	X	
Nellesen, Robert	Sonoma	X	
Renselaer, Edward	Los Angeles		X
Smith, R. Craig	Los Angeles		X
Wittenberg, Harvey	Contra Costa	X	

All members present and recorded on the roll-call slip voted yes on the above matter.

6012 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby appoints the following members to the Committee on Mandatory Fee Arbitration, effective December 1, 2001, each for a term expiring as indicated or until further order of the Board, whichever occurs earlier: Gerald G. Knapton, Pasadena, vice John Stuart Chang, declined appointment, for Mr. Chang's unexpired term, i.e., October 10, 2004; and Arne Werchick, Truckee, vice Charles Quintero, resigned, for the remaining portion of Mr. Quintero's unexpired term, i.e., September 7, 2003.

All members present and recorded on the roll-call slip voted yes on the above matter.

6013 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, the Board hereby appoints Sharron Voorhees, San Diego, member, Committee on Senior Lawyers, effective immediately, vice Marvin Haiken, resigned, for the remainder of Mr. Haiken's term, i.e., October 13, 2002, or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

6014 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby appoints Annette Ballatore-Williamson, Fresno, member, Committee on Women in the Law, effective immediately, vice Emmanuelle Lee, resigned, for the remaining portion of Ms. Lee's term (i.e., October 13, 2002), or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

6015 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby appoints Suzanne Graeser, Palo Alto, member, Business Law Section Executive Committee, effective immediately, for a term expiring October 10, 2004, or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

6016 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby appoints Graciela E. Zavala, Imperial Beach, California, to the Board of Directors of California Rural Legal Assistance, effective immediately, vice Hon. Diane Wayne, resigned, for the remaining portion of Judge Wayne's unexpired term, i.e., October 31, 2002, or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

6020 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby appoints the following members to the Attorney Diversion and Assistance Program Oversight Committee, effective January 1, 2002, each to serve for a term expiring as indicated, or until further order of the Board, whichever occurs earlier:

Member	City	District	Term Expires
Caldwell, Edwin	San Francisco	4	12/31/2003
Condon, Kellie,	Fresno	5	12/31/2002
Dawson, David	San Francisco	4	12/31/2002
Hseih, Stewart	Los Angeles	7	12/31/2005
Reynolds, Norman T.	San Jose	3	12/31/2003
Shale, John	San Diego	9	12/31/2004

and it is

FURTHER RESOLVED that staff will provide information to the Governor with respect to the candidates who were considered, but not appointed.

Voting yes: Ms. Copeland, Ms. Ravel, Mr. Roeca, Ms. Scott, Mr. Sherwood, Mr. Snetsinger, Mr. Van de Kamp, Ms. Villa, Ms. Weiner, Mr. Wylie and Ms. Zamora.

Voting no: Mr. Cavanaugh, Mr. Dixon, Mr. Herman and Mr. Persons.

Abstaining: Ms. Green and Mr. Rouzan.

701 President Nobumoto, who served as Chair of the Strategic Development Program Steering Committee, reported on the work of that committee and its recommendations to the Board regarding the new standing committee structure. Others members of the committee, Ms. Green, Mr. Herman, Mr. Roeca, Mr. Wylie and Ms. Zamora, led a discussion of the descriptions and responsibilities of each of the new standing committees. President Nobumoto announced her appointment of the following chairs of the new standing committees:

Committee on Board Operations:	K a r e n S . Nobumoto
Planning, Budget, and Program Development Committee:	J a m e s E . Herman
Oversight Committee/Attorney Members:	S c o t t H . McNutt
Oversight Committee/Admissions, Regulation and Discipline:	P a t r i c k R . Dixon

Stakeholder Relations Committee:
Committee on Volunteer Involvement:

Maria D. Villa
Scott Wylie

Ms. Nobumoto also distributed to each Board member a committee preference survey, requesting that each Board member indicate their preferred committee assignments. Ms. Nobumoto will appoint Board members to each of the Board committee; said appointments to be ratified in a fax poll of the Board during the second week of December, 2001.

The Board adjourned at 1:15 p.m., Saturday, December 8, 2001, to meet again at the call of the President at any time prior to the next regularly scheduled meeting of the Board, or if no such meeting be called, in the Board Room of the State Bar Office, 1149, South Hill Street, Los Angeles, California, at 9:00 a.m., Saturday, January 26, 2002.

ATTACHMENTS TO DECEMBER 2001 MINUTES

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